

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 4:06CR166-P-B

ANTHONY HOWARD,

DEFENDANT.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant's second motion for a continuance of trial [16-1]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for February 5, 2007. Defense counsel avers that he needs additional time to review the indictment with the defendant. The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from February 5, 2007 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant's Motion for Continuance [16-1] is hereby **GRANTED**;
- (2) Trial of this matter is continued until Monday, March 26, 2007 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from February 5, 2007 to March 26, 2007 is excluded from Speedy Trial Act

considerations as set out above;

(4) The deadline for filing pretrial motions is March 5, 2007; and

(5) The deadline for submitting a plea agreement is March 12, 2007.

SO ORDERED this the 25th of January, A.D., 2007.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE